Application No.: 09/767809 Docket No.: OAQ-021

REMARKS

Election/Restriction

In compliance with the directives of the Office Communication dated July 28, 2004, Applicants hereby elect and reiterate Group I (the species of claim 1) which were previously listed and are readable as claims 1-10.

Applicants respectfully traverse the requirements for restriction and election, and submit that the requirements are improper. In the present application, the claims are <u>not</u> directed to inventions that are independent and distinct, and the Examiner would not be burdened by examining all claims in the application.

A single unifying feature, i.e., a method of sharpening an edge in an image, unites all of the claims in the present application. Independent claims 1, 11, 16 and 20 are not patentably distinct from each other, as each claim recites the steps of detecting an edge in an image and sharpening the edge. In claims 11 and 16, the step of sharpening involves applying a filter to the image at the detected edge to adjust the intensity of pixel values near the edge to compensate for errors. The claims recite no mutually exclusive characteristics that would make restriction proper. Moreover, the features recited in claim 1 are also recited in claims 11, 16 and 20.

Applicants submit that a sufficient search and examination with respect to the subject matter of the claims of the species of claim 1, the species of claims 11 and 16 and the species of claim 20 can be made without serious burden. As the M.P.E.P. states:

[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. M.P.E.P. § 803 (8th ed., Rel. 78A, August 2001).

That is, even if the groups of claims are drawn to distinct inventions, the Examiner must still examine the entire application on the merits because doing so will not result in a serious burden.

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Applicants submit that the search and examination of all the claims will have

substantial overlap, and no serious burden will result from searching and examining all

claims in the same application.

Nevertheless, in compliance with the directives in the Office Action, and in order to

expedite prosecution of the instant application, Applicants hereby elect, subject to the

foregoing traverse, the species of claim 1.

Otherwise, it is respectfully requested that the restriction requirement be withdrawn,

and that each of claims 1-35 presently pending in this application be examined.

Applicant reserves the right to pursue the non-elected claims, or similar claims, in this

or one or more subsequent patent applications.

If a telephone conversation with Applicant's attorney would help expedite the

prosecution of the above-identified application, the Examiner is urged to call the undersigned

attorney at (617) 227-7400.

Applicant believes no fee is due with this response. However, if a fee is due, please

charge our Deposit Account No. 12-0080, under Order No. OAQ-021 from which the

undersigned is authorized to draw.

Dated: August 20, 2004

Respectfully submitted,

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